THE HON'BLE SRI JUSTICE G.CHANDRAIAH

W.P.NO.28138 OF 1996

O R D E R

Heard the counsel for the petitioner and the Government Pleader for Land Acquisition.

From the material on record it could be seen that an extent of Acs.5-04 guntas of land situate in Sy.No.730 and 731 at Nagulavancha Village, Khammam District belonging to the petitioner temple was acquired by the Government for the purpose of construction of staff quarters of Nagarjuna Sagar Project after issuance of the necessary statutory notifications and the compensation was paid as per the Award dated 1.7.1978 passed by the Land Acquisition Officer. Now the grievance of the petitioner – Temple is that since the purpose for which the land was acquired does not subsist and as the Mandal Revenue Officer, Chinthakani has assigned the land to the weaker sections without considering its request to restore the land and further as the compensation was paid as per the market value prevailing as on 1953 though the lands were acquired in the year 1978-79, the present writ petition is filed either to restore the land or to pay the market value prevailing as on the date of the acquisition.

It is to be noticed that the land was acquired in the year 1978 and the award was passed on 1.7.1978 and the writ petition was filed in the year 1996 and, therefore, on the ground of laches the present writ petition is not maintainable. The Hon'ble Apex Court in the decision reported in GOVT. OF A.P. v. KOLLUTLA OBI REDDY[1] held that belated challenges to the notifications under Sections 4 and 6 of the Land Acquisition Act shall not be entertained by the High Court.

For the foregoing reasons, the writ petition is dismissed on the

ground of laches. No costs.

AVS ----------

18.09.2007

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[1] (2005)6 SCC 493